REMARKS

Claims remaining in the present patent application are numbered 1-20. The rejections and comments of the Examiner set forth in the Office Action dated September 16, 2003 have been carefully considered by the Applicant. Applicant respectfully requests the Examiner to consider and allow the remaining claims.

35 U.S.C. §103 Rejection

The present Office Action rejected Claims 1-20 under 35 U.S.C. 103(a) as being unpatentable over Goyal et al. (U.S. Patent No. 5,873,108) in view of Koyabu et al. (U.S. Patent No. 6,026,333).

Independent Claims 1, 9, and 16

Regarding Independent Claims 1, 9, and 16, embodiments of the presently claimed invention disclose a method of automating categorization of data, and systems for implementing the method, as presently claimed. In particular, amended Independent Claims 1, 9, and 16 of the present invention recite, in part:

> [A] method of automating categorization of data, comprising:
> determining a clock time of day;

referencing a time of day profile that correlates clock time of day information with data categories; and

setting a default data category based upon the clock time of day and the time of day profile. (Emphasis Added)

The claimed embodiments of Independent Claims 1, 9, and 16 pertain to a method and system for automating the categorization of data. Specifically, embodiments of the present invention recite that a default data category is set based upon a clock time of day (clock TOD) and a time of day profile (TOD profile) that is referenced. That is, the TOD profile correlates clock time information with a data category that is used as a default category.

Applicant respectfully notes that the Goyal et al. reference in view of the Koyabu et al. reference do not suggest, teach, nor comprise the present invention as claimed in independent Claims 1, 9, and 16 in which a default data category is set based upon a clock TOD and a TOD profile.

In particular, the Applicant respectfully disagrees with the statement in the present Office Action that in the Goyal et al. reference, the default data category (i.e., the current day) is clearly set based upon the time of day. That is, in the Goyal et al. reference, the current day data category is based upon a day of the week, or date of the year, and not upon a clock time of day, as disclosed in

independent Claims 1, 9, and 16 of embodiments of the present invention.

Moreover, the Goyal et al. reference states that there may be instances where "time" is not necessary, as follows:

> In some instances, there will not be any time entry associated with a particular item of information. For example, one might list a project to be performed on a particular day but not specify any particular time. The time field may then be skipped by selecting the tag field directly. The time field is then left blank. (See Goyal et al., col. 4, line 65 to col. 5, line 3)

As such, the Goyal et al. reference does not suggest, teach, or disclose setting a default data category that is clearly set based upon a clock TOD, as recited in independent Claims 1, 9, and 16 of embodiments of the present invention.

Furthermore, Applicant disagrees with the statement in the present Office Action that the Koyabu et al. reference teaches a time of day profile that correlates data categories (reads on "default data category") with date and time information (reads on "time of day information"). Specifically, in the Koyabu et al. reference, the category definition data defines, within an applicable period, categories of a plurality of records. That is, within a categorization rule, data categories are generated for applicable periods of time within the categorization rule. In contrast, the Koyabu et al. reference does not suggest,

teach, or disclose referencing a TOD profile that correlates clock TOD information with data categories, as disclosed in embodiments of the present invention as claimed in independent Claims 1, 9, and 16.

Thus, because the Goyal et al. reference does not suggest setting a default data category that is clearly set based upon a clock TOD, and because the Koyabu et al. reference does not does not suggest referencing a TOD profile that correlates clock TOD information with data categories, a combined system of the Goyal et al. reference and the Koyabu et al. reference do not collectively suggest, teach, or disclose the method and system of the present invention of setting a default data category based upon the clock TOD and a TOD profile, as recited in independent Claims 1, 9, and 16.

Accordingly, Applicant respectfully submits that independent Claim 1 overcomes the Examiner's basis for rejection, and as such Claims 2-8 which depend on independent Claim 1 are also in a condition for allowance as being dependent on an allowable base claim. Also, Applicant respectfully submits that independent Claim 9 overcomes the Examiner's basis for rejection, and as such Claims 10-15 which depend on independent Claim 9 are also in a condition for allowance as being dependent on an allowable base claim. Further, Applicant respectfully submits that independent Claim 16 overcomes the Examiner's basis for rejection, and as

such Claims 17-20 which depend on independent Claim 16 are also in a condition for allowance as being dependent on an allowable base claim.

CONCLUSION

In light of the facts and arguments presented herein, Applicant respectfully requests reconsideration of the rejected Claims.

Based on the arguments presented above, Applicant respectfully asserts that Claims 1-20 overcome the rejections of record. Therefore, Applicant respectfully solicits allowance of these claims.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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